IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9380 OF 2004

Vidhate Bhanudas Jaywant Petitioner

versus

State of Maharashtra & ors. Respondents

A.M.Joshi, adv. for petitioner.

R.D.Rane, Addl.G.P. for R.1 and 2.

CORAM : A.P.SHAH AND
S.C.DHARMADHIKARI, J.

DATE : 6th December 2004

PC :

. Heard Mr.Joshi for petitioner and AGP Mr.Rane for respondents 1 and 2.

2. Mr.Rane, learned AGP fairly conceded that the impugned order at page 32 of the writ petition was passed without affording an opportunity of hearing to the petitioner and approval granted in favour of the petitioner was cancelled without any prior notice. There was, thus, obvious breach of principles of natural justice. We, therefore, quash and set aside the impugned order dated 8th September 2004 and direct the Education Officer to grant personal hearing to the petitioner and all the concerned parties including the Teachers who complained against

appointment of petitioner, and thereafter pass appropriate order in accordance with law. Petition is accordingly disposed of.

(A.P.SHAH, J.)

(S.C.DHARMADHIKARI, J.)